



MARCUS NEIMAN & RASHBAUM LLP

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October 1, 2014

Mr. James Gatta, AUSA  
Mr. Anthony Capazzola, AUSA  
Mr. Nathan Riley, AUSA  
United States Attorney's Office  
Eastern District of New York  
217 Cadman Plaza East  
Brooklyn, New York 11201

Re: United States v. Michael Grimm, Case No. 14-248-PKC-RML

Mssrs. Gatta, Capazzola, and Riley:

As you know, motions in the case are due on October 6, 2014. In order to aid in the determination of whether certain motions are necessary, we are requesting that you notify us by October 3, 2014, whether you will be providing the following information:

1. What role did former Assistant United States Attorney Todd Kaminsky have in the investigation of Mr. Grimm?
2. How many grand jury subpoenas were issued in the investigation at Mr. Kaminsky's direction?
3. How many appearances before the grand jury did Mr. Kaminsky make?
4. How many witness interviews did Mr. Kaminsky participate in?
5. What role, if any, did Mr. Kaminsky have in requesting the authorization of a tax grand jury investigation?
6. What role, if any, did Mr. Kaminsky have in seeking authorization from the Department of Justice Tax Division that the charges be sought in this matter?
7. When did Mr. Kaminsky first notify the United States Attorney's Office of his intention to leave the United States Attorney's Office, informally or formally?
8. When did Mr. Kaminsky first notify the United States Attorney's Office of his intention to seek political office, informally or formally?
9. Was the Federal Bureau of Investigation involved in the tax investigation of Michael Grimm and if so, to what extent?

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10. What role, if any, did FBI Supervisory Special Agent Anthony Bivona have in the investigation?

11. What role, if any, did Assistant Special Agent in Charge Mary Galligan have in the investigation?

12. During the last five years, how many other criminal indictments has the United States Attorney's Office sought relating to restaurants paying employees in cash? Please provide the Case Number for any matters.

13. During the last five years, how many other criminal indictments has the United States Attorney's Office sought relating to restaurants underreporting their cash sales to the IRS? Please provide the Case Number for any matters.

14. During the last five years, how many other criminal indictments has the United States Attorney's Office sought relating to restaurants hiring illegal aliens as employees? Please provide the Case Number for any matters.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeff Neiman", is written over the typed name.

Jeffrey A. Neiman  
Daniel Rashbaum

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